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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,800	07/09/2003	Akihiro Shin	Q76456	5013
23373	7590	04/01/2008	EXAMINER	
SUGHRUE MION, PLLC			JACKSON, JENISE E	
2100 PENNSYLVANIA AVENUE, N.W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20037			2139	
			MAIL DATE	DELIVERY MODE
			04/01/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action Before the Filing of an Appeal Brief</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/614,800	SHIN, AKIHIRO	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 February 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a)  The period for reply expires 3 months from the mailing date of the final rejection.  
 b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a)  They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b)  They raise the issue of new matter (see NOTE below);  
 (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
 13.  Other: \_\_\_\_\_.

/Kristine Kincaid/  
 Supervisory Patent Examiner, Art Unit 2139

Continuation of 11. does NOT place the application in condition for allowance because: The Applicant states that Sawada does not disclose outputting the input packet signal to a default network. The Examiner disagrees with the Applicant. To gain authentication (login to the server), the packet communications apparatus sends a login request packet to the user authentication unit on the server . The login request packet includes the IP address of the server as the destination IP address, the MAC address of the router as the destination MAC address, the MAC and IP addresses of the user terminal as the source MAC and IP addresses. The packet communications apparatus receives the login request packet , and searches the learned address table for the source MAC address included in the login request packet. The MAC address of the user terminal has already been registered in the learned address table. Then, the packet communications apparatus refers to the status field on the entry line on which the source MAC address is registered. Since "filtering ON" is specified in the status field , the packet communications apparatus searches the address for authentication table for the destination address included in the login request packet. Since the IP address of the server is registered in the address for authentication table, the packet communications apparatus sees whether the source IP address included in the login request packet is registered in the learned address table. The IP address field on the entry line on which the MAC address of the user terminal has been registered contains registration and the IP address of the user terminal is not registered. Thus, the packet communications apparatus registers the source IP address, namely IP address of the user terminal into the IP address field. In this case, the packet communications apparatus does not change the time value held in the valid period field.

The Applicant states Sawada does not disclose the temporary use IP address login to the communication terminal in response to the outputting of the input packet signal nework by the unauthenticated signal port. The Examiner disagrees with the Applicant. Upon receiving the packet, the PFU searches the learned address table for a registration matching the destination MAC address of the packet . The destination address, the MAC address of the router is registered in the learned address table. Thus, the PFU makes sure whether the communication protocol of the packet is IP protocol and whether the source MAC address included in the packet is registered in the filtering table. The communication protocol of the packet is IP protocol and the source MAC address, the MAC address of the user terminal is registered in the filtering table. Thus, the PFU registers the source IP address included in the packet into the IP address field on the entry line on which the MAC address of the user terminal has been registered in the filtering table. In this case, originally, information "unregistered" has been registered in the IP address field on the entry line on which the MAC address of the user terminal has been registered in the filtering table. Consequently, that information is replaced by the source IP address included in the packet. The source IP address included in the packet is the IP address (192.168.5.1) leased to the user terminal from the DHCP server.

The Applicant states that Monachello does not disclose giving to the communication terminal a network address for transferring the signal packet to a desired communication network. The Examiner disagrees with the Applicant. When local/private IP addresses are used on the workstations, a DHCP server of the NSP assigns the dynamic IP address to the DHCP client on the CPE device. The local/private IP addresses may be either be static or handed out by a local DHCP server. When global IP addresses are used with DHCP, then the CPE and CO acts as relay agents to relay the real global address from the NSP to the workstation. If it is necessary for the workstation to communicate via IP before it gets a global address, such as when it runs the service selection mechanism, then the CPE gives the workstation a local/temporary IP address. The Applicant also states that Monachello does not disclose a normal IP address bestowal means for giving to the communication terminal a normal IP address. The Examiner disagrees with the Applicant. Once a default route has been selected, the CPE maintains a list of the end user's default NSP. The list is maintained in the CPE with an end station identifier (e.g., a MAC address, layer 2 address, layer 3 address, etc.). When the CPE receives a communication from a workstation, the CPE examines the end station identifier and determines if the end user's default NSP has been selected. If so, then the CPE retrieves stored information indicating how the virtual circuit connection is to be set up for that workstation. In one embodiment, there are three distinct ways in which the virtual circuit connection is determined, which are according to a specific non-default IP route, a protocol type, or a default. Packets are processed and forwarded based on the information in the master forwarding table and its associated protocol specific tables. A series of comparisons between the packet content and the table content will be made to find the best match. When the best match is attained, the virtual circuit (VC) that will carry the packet is determined and the packet will be forwarded on this VC.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENISE E. JACKSON whose telephone number is (571)272-3791. The examiner can normally be reached on Increased Flex time, but generally in the office M-Fri(8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. E. J./  
Examiner, Art Unit 2139

